## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:05-CR-00221-F-1

No. 5:16-CV-00311-F

DEMETRIUS LYDELL BRYANT, )

Petitioner, )

v. ) ORDER

UNITED STATES OF AMERICA, )

Respondent. )

This matter is before the court on Demetrius Lydell Bryant's Motion to Vacate, Set

Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-83]. Having examined Bryant's

motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States

Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255

Proceedings, or to make such other response as appropriate to the above-captioned § 2255

motion within forty (40) days of the filing of this order.

Bryant asserts challenges based on *Johnson v. United States*, 135 S. Ct. 2551 (2015), and he previously qualified for appointed counsel. Sherri R. Alspaugh with the Office of the Federal Public Defender has been appointed to represent Bryant pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015).

SO ORDERED.

This \_3/\* day of June, 2016.

JAMES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE